

Subject: Procedural for Selling Town Owned Property.

Property Evaluation, Disposition, and Marketing Plan  
2186 Apple Valley Road, & 0 N. St. Vrain Dr.  
Lyons, CO

The procedure for selling Town owned surplus unimproved land is relatively straightforward and it's placed upon you to implement a plan. One concern regarding this property is that it may require a SPR (site plan review) see attachment, since this property is located in unincorporated Boulder County. It states that any new building requiring a building permit located in Boulder unincorporated would require an SPR.

#### **A. Determining Price**

First of all we'd start with an appraisal, or in this case a BPO, Brokers Price Opinion (cost effective and comprehensive through experience) as opposed to a Competitive Market Analysis. A local, experienced Broker, would better serve the community's interest as we are more knowledgeable locally. We would be providing and confirming sales anyways, that would have to be "Adjusted Valuations" and would fall outside the scope of most appraisers, in this area and in this market place. A main consideration in this offering determination are the costs to bring this property to its highest and best use as a Single Family Residential lot.

This disposition of property would be a benefit to the overall Town. The 0 N. St. Vrain-Apple Valley/ 36W, pie slice portion of property, adjacent to the river boat launch portion donated to the county would be appreciated and relieve the town from liability, maintenance and serve as "Good Will" gesture. Not to mention infusion of cash, better used for other programs or projects and relieving responsibilities and maintenance costs. Pricing of the determining of the value would have to consider remedies as you adjust to the subject property in making an evaluation. I'm referring to the approximate costs that'd I'd expect to be in the vicinity of \$100,000-\$125,000- just for demolition, debris disposal.

Another consideration is the solar panels on site and ingress and egress for access to the Dave Miller Ditch Diversion structure which reduces the actual footprint of the property purchased. Being that a Phase One environmental impact report was performed and results were clear, other site improvement costs, I believe would be minimal. All of which would be a factor in the final agreed sale price. With that said, the combination of the two parcels we could make an opening ask of \$375,000 Cash. Considering the expense to rectify \$125,000 to make it buildable, realistically it then prices out at \$500,000.

#### **B. Disposition**

Offering the property through the use of a Local, Licensed and experienced RE Broker with an understanding of the task should be in the Brokers evaluation. Personally, I'd wave off Auction due to the complexity with conditions of the property, structure and unknowns and recommend Straight sale utilizing "Offering, Bid and Negotiation", pursuant to the procedures approved in writing by the Administrator and Town Board utilizing a Colorado

approved RE Contract for Sale and Purchase., With respect to this real property proposed to be disposed of, buyer, price and any other terms applicable to the sale thereof that determines material to such proposed disposition.

"Proposed sale terms" shall mean for acceptability I believe should contain - All Cash Sale, 5 day "Right to Inspect" Closing in 30 days or less, 10 percent deposit within 3 business days, held in Escrow, by the Town's approved Title Company. Buyers and sellers paying their respective normal closing costs regarding the sale and transfer.

### **C Marketing**

In order to serve the Town best, I'd recommend that the offering start closer to spring for many reasons. One of those starts with the separation of the gifted portion to the county. Surveying may be needed so as to make title clear and marketable for the title of the remaining portion of 0 N. St. Vrain piece. Also as a safety precaution most times people want to walk the property ( Which we'd accompany individually) Snow is not conducive to that. Spring has a renewed feeling and makes it more appealing and hopefully warmer weather brings us a lot of interest and a really good solid price for the property.

My plan is to go all out. We use all the sales tools available to us: Platinum Photography Program which includes High resolution, Drone photography, still shots, Carousel, Matterport, Mapping and Site Topography and Video. I'd also utilize Lighted For Sale sign, Banner exposure with Hwy. 36 Visibility, and various Media streams, Zillow, Trulia, Realtor.com, Multiple MLS System entries including local and Denver MLS, Google and Facebook advertisements including a designated WebSite i.e, [www.Lyonsriverfront.com](http://www.Lyonsriverfront.com) As you can see we offer a complete service.

**As a matter of Policy, we accompany all showings. We would hold a Double "Open House" Saturday and Sunday through the marketing and accepting all offers by the end of the second weekend and reviewing them with a posted day and time for a decision and acceptance . Alternatively, we could do " Coming soon" on Wednesday, allowable and Post "NEW on Market on Thursday with highest and best offers Due by Monday 5 PM and amount of days you require for the town acceptance. I can work out the logistics with you prior to launch.**

We have a well rounded full time team of four brokers, a main street office location with local exposure to signs led by myself Brian McCann. We donate to almost every charitable organization in Lyons.

Connection with an approved disposition of this surplus real property by the town, the Real Estate fee or Commission for the successful conveyance, sale and transfer would be due and payable at time of closing. Our firm cooperates with other Brokers, on an equal 50/50 share of that in the event of a Co-Broke sale.

*-Lyons Strong*

**Inventory Sold Report**  
**Run on 1/31/2022 at 11:27 AM**  
**Inventory of: Selected agents from McCann Real Estate**

**Listed And Sold**

From 1/1/2021 to 12/31/2021

MLS#	Status	Address	Price	Type	A/SA	Bath	Bed	Style	Sold Date	Agent
922820	S	153 Ski Rd	\$ 2,035,000	RES	6/7	3	3	1 Story/Ranch	03/05/2021	Brian McCann
933737	S	11804 E 36 Hwy	\$ 530,000	RES	11/6	2	2	1 Story/Ranch	03/29/2021	Brian McCann
945314	S	277 County Road 107E	\$ 585,000	RES	6/7	2	3	1 Story/Ranch	07/01/2021	Torrey McCann
Total Count: 3		Total Volume: \$3,150,000	Average: \$1,050,000	Low: \$530,000	High: \$2,035,000	Median: \$530,000				

**Listed but Sold by a Co-operating Broker**

From 1/1/2021 to 12/31/2021

MLS#	Status	Address	Price	Type	A/SA	Bath	Bed	Style	Sold Date	Agent
946088	S	3166 6th Pl Sw	\$537,000	RES	8/2	3	4	Bi-Level	9/8/2021	Mark Harper
951498	S	95 Navajo Ct	\$1,000,000	RES	11/5	3	3	1 Story/Ranch	11/10/2021	Mark Harper
939805	S	333 Pinewood Dr	\$485,000	RES	11/6	2	2	1 Story/Ranch	5/3/2021	Brian McCann
934387	S	1053 5th Ave	\$685,555	RES	5/10	3	4	Bi-Level	4/14/2021	Brian McCann
932370	S	9365 Del Camino Ln	\$685,000	RES	10/31	2	4	Bi-Level	4/29/2021	Brian McCann
931067	S	80 Lookout Dr	\$625,000	RES	11/5	3	2	2 Story	4/30/2021	Brian McCann
936284	S	35 Cody Ct	\$771,000	RES	11/5	3	3	2 Story	4/21/2021	Brian McCann
941308	S	1200 Ponderosa Hill Rd	\$1,575,000	RES	8/24	4	5	Raised Ranch	6/24/2021	Brian McCann
945781	S	150 Makah Ln	\$1,100,000	RES	11/5	4	3	1 Story/Ranch	8/31/2021	Brian McCann
948153	S	306 Pinewood Dr	\$598,000	RES	11/6	2	2	Bi-Level	9/14/2021	Brian McCann
953948	S	11579 Overlook Rd	\$375,000	RES	6/10	1	1	Bi-Level	12/1/2021	Brian McCann
953161	S	1027 Aspen Dr	\$450,000	RES	11/6	1	3	1 Story/Ranch	11/5/2021	Brian McCann
936028	S	7171 Fairways Dr	\$750,000	RES	5/3	2	3	2 Story	4/13/2021	Torrey McCann
Total Count: 13		Total Volume: \$9,636,555	Average: \$741,273	Low: \$375,000	High: \$1,575,000	Median: \$625,000				

**Sold but Listed by a Co-operating Broker**

From 1/1/2021 to 12/31/2021

MLS#	Status	Address	Price	Type	A/SA	Bath	Bed	Style	Sold Date	Agent
942210	S	1225 Longmont Dam Rd	\$1,390,000	RES	6/1	4	4	2 Story	7/6/2021	Brian McCann
940070	S	128 Mohawk Rd	\$675,000	RES	11/6	2	3	1 Story/Ranch	6/18/2021	Brian McCann
Total Count: 2		Total Volume: \$2,065,000	Average: \$1,032,500	Low: \$675,000	High: \$1,390,000	Median: \$675,000				

Information deemed reliable but not guaranteed. (C) 1995-2022 IRES, LLC

ANNUAL Total      \$14,851,555

(<https://www.bouldercounty.org>)

Report an issue (<mailto:dmcdermott@bouldercounty.org>;[kbknight@bouldercounty.org](mailto:kbknight@bouldercounty.org);[mmullane@bouldercounty.org](mailto:mmullane@bouldercounty.org)?  
subject=Reporting an issue -- Property Search)

# Property Search

Return





# Property Report for Account R0088871

**Today's Date: 2/3/2022**

No picture available

Property Address:	2186 APPLE VALLEY RD
City:	UNINCORPORATED
Owner:	TOWN OF LYONS
Parcel Number:	120112000006
Mailing Address:	PO BOX 49
City, State, Zip:	LYONS CO, 80540-9999
Sec-Town-Range:	12 -3N -71
Subdivision:	TR, NBR 901 NEDERLAND AREA
Jurisdiction:	Unincorporated Boulder County
Legal Description:	1.01 ACS M/L NW 1/4 NE 1/4 12-3N-71
Square Feet:	40,276
Acres:	0.92



# Assessment Report for Account R0088871

**Today's Date: 2/3/2022**

## Account

Account Number:	R0088871
Parcel Number:	120112000006
Tax Area:	000825
No. of Improvements:	0

Site Address: 2186 APPLE VALLEY RD  
 Site Address: 2188 APPLE VALLEY RD  
 Neighborhood: MOUNTAINS

### Total Account Value

	Actual	Assessed
Total:	111100	32219
Structure:	0	0
Land:	111100	32219
X-Features:	0	0
MillLevy:	100.617	

### Improvements



## Deeds Report for Account R0088871

Today's Date: 2/3/2022

### Deeds

Deed#	Sale Date	Recorded	Sale Price
949264	7/22/1970	7/22/1970	\$0.00



## Zoning Report for Account R0088871

Today's Date: 2/3/2022

Address: 2186 APPLE VALLEY RD  
 Parcel Number: 120112000006  
 Zoning: RR - Rural Residential  
 Wind Load (Vult): 165  
 Ground Snow Load (lbs/sqft): 45

## Land Use Department Permits and Dockets

SPR-21-0072	Site Plan Review to re-align approximately 5,000 linear feet of the Dave Miller Ditch.
LOMR-0043	Apple Valley Stream Restoration + Burdock Hollow project
FDP-19-054F	Relocation and reconstruction of the historical Dave Miller Ditch diversion structure. The structure will divert water through a 12" pressurized pipe, powered by one (1) 7.5 horsepower pump. The pump system will be powered by a solar panel array. A sediment flush pipe redirects sediment to a separate outlet downstream. All cut and fill will be balanced on site.
FDP-17-097F	Rehabilitation of the North St. Vrain Creek in the area known as Apple Valley North. This EWP project extends from approximately 4,400 feet upstream of US 36 to approximately 1,100 feet upstream of Apple Valley Road. The project entails stream grading, bank stabilization with woody material and boulders, creation of riffle pool sequences, creation of overflow channel, and revegetation.
BP-17-2453	Flood - Stream Restoration - Apple Valley North (LU-17-0021)
LU-17-0021	Limited Impact Special Use review to perform flood-related restoration along roughly 7,400 feet of North St. Vrain Creek involving approximately 45,800 cubic yards of earthwork.
BP-11-0085	Relocate Electrical Meter from Building to Power Pole on west side of property
NWE-09-0112	This property has large amounts of diffuse knapweed and musk thistle.
BP-97-1268	SHED FOR PREFEED FOR WATER PLANT - FINAL INSPECTION NEVER REQUESTED 1/15/02
BP-97-0302	ELEC FOR WATER PLANT
BP-96-1938	WATER DIVERSION STRUCTURE
BP-96-1939	CHLORINE CONTACT BASIN & PLANT PIPING
SE-89-0029	To add 2 acres to the Town of Lyons parcel for possible later expansion of the water treatment plant thus creating 2 parcels of 5.8 and 3.6 acres
BP-85-0213	PROVIDE ELECT TO PUMP
BP-83-0153	REM WATER TREAT PLANT
BP-70-13141	WATER TREATMENT PLANT



## Floodplain Report for Account R0088871

**Today's Date: 2/3/2022**

**Floodplain Information**

Address: 2186 APPLE VALLEY RD  
 Parcel Number: 120112000006  
 Flood Zone: AE,A  
 Floodway: Yes

**Permits**

- FDP-17-097F Rehabilitation of the North St. Vrain Creek in the area known as Apple Valley North. This EWP project extends from approximately 4,400 feet upstream of US 36 to approximately 1,100 feet upstream of Apple Valley Road. The project entails stream grading, bank stabilization with woody material and boulders, creation of riffle pool sequences, creation of overflow channel, and revegetation.
- FDP-19-054F Relocation and reconstruction of the historical Dave Miller Ditch diversion structure. The structure will divert water through a 12" pressurized pipe, powered by one (1) 7.5 horsepower pump. The pump system will be powered by a solar panel array. A sediment flush pipe redirects sediment to a separate outlet downstream. All cut and fill will be balanced on site.



**Survey Report for Account 120112000006**

**Today's Date: 2/3/2022**



**Elections Report for Account R0088871**

**Today's Date: 2/3/2022**

Address: 2186 APPLE VALLEY RD  
 Parcel Number: 120112000006  
 Precinct: 2181107917



US Congressional District: 2  
State Senate: 18  
State House: 11  
County Commissioner: 2

## Property Search

Return





# Property Report for Account R0108685

**Today's Date: 2/3/2022**

No picture available

Property Address:	0 N ST VRAIN DR
City:	UNINCORPORATED
Owner:	TOWN OF LYONS
Parcel Number:	120112000056
Mailing Address:	PO BOX 49
City, State, Zip:	LYONS CO, 80540-9999
Sec-Town-Range:	12 -3N -71
Subdivision:	TR, NBR 901 NEDERLAND AREA
Jurisdiction:	Unincorporated Boulder County
Legal Description:	2.58 ACS M/L NW 1/4 NE 1/4 12-3N-71 S OF HWY 36 & N & E OF COUNTY RD 71 LESS 0.26 ACS TO COUNTY OF BOULDER PER 1119945 7/30/91 BCR
Square Feet:	71,520
Acres:	1.64



# Assessment Report for Account R0108685

**Today's Date: 2/3/2022**

## Account

Account Number:	R0108685
Parcel Number:	120112000056
Tax Area:	000825

No. of Improvements: 0  
 Site Address: 0 N ST VRRAIN DR  
 Neighborhood: MOUNTAINS

### Total Account Value

	Actual	Assessed
<b>Total:</b>	18600	5394
<b>Structure:</b>	0	0
<b>Land:</b>	18600	5394
<b>X-Features:</b>	0	0
<b>MillLevy:</b>	100.617	

### Improvements



## Deeds Report for Account R0108685

Today's Date: 2/3/2022

### Deeds

Deed#	Sale Date	Recorded	Sale Price
1014246-8	11/20/1989	11/20/1989	\$10,000.00
949264	7/22/1970	7/22/1970	\$0.00



## Zoning Report for Account R0108685

Today's Date: 2/3/2022

Address: 0 N ST VRRAIN DR  
 Parcel Number: 120112000056  
 Zoning: RR - Rural Residential  
 Wind Load (Vult): 165

**Ground Snow Load**

(lbs/sqft): 45

**Land Use Department Permits and Dockets**

- LOMR-0043 Apple Valley Stream Restoration + Burdock Hollow project
- FDP-19-054F Relocation and reconstruction of the historical Dave Miller Ditch diversion structure. The structure will divert water through a 12" pressurized pipe, powered by one (1) 7.5 horsepower pump. The pump system will be powered by a solar panel array. A sediment flush pipe redirects sediment to a separate outlet downstream. All cut and fill will be balanced on site.
- FDP-17-097F Rehabilitation of the North St. Vrain Creek in the area known as Apple Valley North. This EWP project extends from approximately 4,400 feet upstream of US 36 to approximately 1,100 feet upstream of Apple Valley Road. The project entails stream grading, bank stabilization with woody material and boulders, creation of riffle pool sequences, creation of overflow channel, and revegetation.
- BP-17-2453 Flood - Stream Restoration - Apple Valley North (LU-17-0021)
- LU-17-0021 Limited Impact Special Use review to perform flood-related restoration along roughly 7,400 feet of North St. Vrain Creek involving approximately 45,800 cubic yards of earthwork.
- FDP-16-054F Repair of Apple Valley Bridge which entails replacing and painting damaged non-structural components, and the restoration of pocket park located on the right overbank immediately upstream of bridge to pre-flood conditions. The restoration of the park is based on original landscape plan for pocket park.
- SE-89-0029 To add 2 acres to the Town of Lyons parcel for possible later expansion of the water treatment plant thus creating 2 parcels of 5.8 and 3.6 acres
- SE-74-0190 Request for an Exemption to create a 2.2 acre parcel and a 6 acre parcel out of a 8.2 acre tract of land in the Rural Residential Zoning District. The property is located on the SE corner of the intersection of Apple Valley Road and State Hwy 66 in the NE1/4 of S12-T3N-R71W (aka Docket 35-190 / see microfiche SE-74-190)



**Floodplain Report for Account R0108685**

**Today's Date: 2/3/2022**

**Floodplain Information**

Address: 0 N ST VRAIN DR  
 Parcel Number: 120112000056  
 Flood Zone: AE,A,X  
 Floodway: Yes

## Permits

FDP-16-054F	Repair of Apple Valley Bridge which entails replacing and painting damaged non-structural components, and the restoration of pocket park located on the right overbank immediately upstream of bridge to pre-flood conditions. The restoration of the park is based on original landscape plan for pocket park.
FDP-17-097F	Rehabilitation of the North St. Vrain Creek in the area known as Apple Valley North. This EWP project extends from approximately 4,400 feet upstream of US 36 to approximately 1,100 feet upstream of Apple Valley Road. The project entails stream grading, bank stabilization with woody material and boulders, creation of riffle pool sequences, creation of overflow channel, and revegetation.
FDP-19-054F	Relocation and reconstruction of the historical Dave Miller Ditch diversion structure. The structure will divert water through a 12" pressurized pipe, powered by one (1) 7.5 horsepower pump. The pump system will be powered by a solar panel array. A sediment flush pipe redirects sediment to a separate outlet downstream. All cut and fill will be balanced on site.



## Survey Report for Account 120112000056

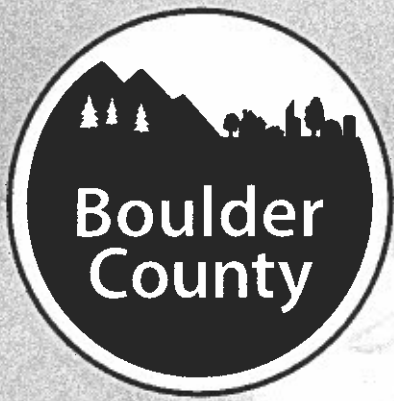
**Today's Date: 2/3/2022**



## Elections Report for Account R0108685

**Today's Date: 2/3/2022**

Address:	0 N ST VRAIN DR
Parcel Number:	120112000056
Precinct:	2181107917
US Congressional District:	2
State Senate:	18
StateHouse:	11
County Commissioner:	2



**Boulder County  
Land Use Department  
Publications**

## **Site Plan Review**

**Land Use Department**  
Courthouse Annex Building  
2045 13th Street  
PO Box 471  
Boulder, CO 80302

**Planning Division:**  
Phone: 303.441.3930  
Email: [planner@bouldercounty.org](mailto:planner@bouldercounty.org)  
Website: [www.bouldercounty.org/lu](http://www.bouldercounty.org/lu)

**Office Hours:**  
8 a.m.-4:30 p.m. Mon., Wed., Thurs., Fri.  
10 a.m.-4:30 p.m. Tuesday

## **Site Plan Review**

A **Pre-application Conference** is required prior to submitting each new Site Plan Review application. If the proposed permit or development requires Special Review, Limited Impact Special Review, Development Plan Review, Historic District review, or Subdivision or PUD, Subdivision Exemption, or Exemption Plat Review, the applicable review process shall substitute for the site plan review process, but the SPR standards shall apply to the part of the proposal requiring site plan review.

### **Site Plan Review Facts**

Site Plan Review (SPR), Section 4-800 of the **Boulder County Land Use Code**, was first adopted in 1993 in response to increased development in the mountains. Soon thereafter, SPR was applied to the plains as well. In both areas, the impact of development on natural resources and existing character of the surrounding neighborhood have been issues raised by Boulder County citizens experiencing the impact of new development. In particular, many of the remaining mountain lots that haven't already been built on often have poor access and steep slopes that lead to erosion problems or wildfire hazards. Plains development may have an impact on agricultural lands and the rural character of open areas. The good news is that in many cases, the impacts of new development can be minimized through careful site design.

### **Time and Effort**

It is true that SPR adds time to the review process and it is also true some applicants disagree with the outcome of the process. However, one only needs to compare the impact of most pre-SPR development with post-SPR examples to see the benefit to the county as a whole, and often for the landowner.

### **Limits of SPR**

A misconception is that the County can prohibit building on a legal building lot through the SPR process. The fact is that the County cannot prohibit building through SPR, but only can condition what is built and how the construction will occur. The impacts of proposed development are evaluated, including structure size, height, location, compatibility with neighborhood, and site disturbance.

### **Professional Assistance**

Boulder County does not require that a professional architect, planner, attorney, engineer, or other agent represent you during the SPR process. We often receive plans drawn up by the property owner with supporting information gathered without professional assistance. However, the complexity of a small percentage of projects may require professional submittals. Some applicants find that they can complete the majority of the application unassisted but need help with a few technical aspects, such as calculating the cubic yards of earth that will be moved.

### **When is Site Plan Review Required?**

Site Plan Review is required in order to issue building permits for development on **any vacant parcels**, for cumulative increases in **floor area of more than 1,000 sq. ft.** (residential or nonresidential) over that which existed on the parcel as of 9/8/98, for cumulative increases in **residential floor area which results in a total residential floor area of a size greater than 125% of the median residential floor area for the defined neighborhood** in which the subject parcel is located, and for **changes in use**. SPR is also required for **grading permits** (except for grading as part of normal agricultural or mining practices), and some **Floodplain Development Permits** issued by the Transportation Department.

SPR is also required for **Telecommunications Facilities** that are located on an existing structure and meet the zoning districts height limit (otherwise a Special Use is required), development in a **Rural Community District**, development within a **Natural Land or Natural Area** or for **New Structures or Additions to Existing Structures** of any size on properties with **Conservation Easements**, or **Wildlife Rehabilitation** of more than 20 non-domestic animals or with outdoor caging.

## Site Plan Review is Not Required if the Permit is only needed for:

- Earthwork that is part of normal agriculture or mining practices.
- Restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind (if replacement is applied for within one year of the event).
- Construction work that does not change the use or increase the existing floor area by more than 1,000 square feet, cumulatively over that which existed as of 9/9/98, unless the resulting residential floor area is greater than 125% of the median for the defined neighborhood.
- Construction of an accessory structure which is less than 1,000 square feet (unless the cumulative threshold above is exceeded, or if the property is in a Natural Landmark, Natural Area, Associated 250 foot buffer, or if there is a Boulder County Conservation Easement on the property, or if the structure is an Agricultural Sales Structure).
- Developments is subdivisions approved after February 22, 1994 (unless the subdivision approval otherwise requires SPR).
- Development in Neighborhood Conservation Overlay Districts to the extent it covers the SPR criteria in its plan.

## Site Plan Review Fees

A non-refundable fee made payable to **Boulder County Treasurer** must be included with your SPR application. Please review the Land Use publication *Planning Review Fee Schedule* for the current Site Plan Review fees applicable to your proposed project.

A Public Notice Sign Deposit (refundable if sign is returned) of \$25.00 is required at time of application.

## Building Permits and SPR

The Land Use Department will accept building permit applications at any time during the Site Plan Review process; however, the applications will be placed on hold until the Land Use Director's Determination is issued.

The Land Use Department highly encourages applicants to wait until their Site Plan Review is finalized before drafting the construction drawings necessary for Building Permit Applications. Please note that, in most instances, Site Plan Review plans are conceptual in nature whereas Building Permit plans are highly detailed, time consuming and often expensive. Applicants submitting Building Permit Applications prior to completing SPR, do so at their own risk, with the understanding that amendments to these plans may be required to comply with the SPR approval.

Your Determination Letter will list a number of conditions which must be met before a Building Permit and/or Certificate of Occupancy are issued.

## Site Plan Review Timeline

